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Central Administrative Tribunal, Principal Bench

Original Application No.80 of 2003

New Delhi, this the 13th day of January, 2003

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. V. Srikantan, Member (A)

Vijay Pushkarna  
S/o Shri A.C. Push Karna,  
R/o 1683, Lodi Road Complex,  
New Delhi

....Applicant

(By Advocate: Shri T.D. Yadav, proxy for Shri Sachin Sood)

Versus

1. Union of India  
Through the Cabinet Secretary,  
Cabinet Secretariat,  
New Delhi

2. Jt. Secretary (Personnel),  
Cabinet Secretariat,  
New Delhi

3. Special Secretary (Personnel),  
Cabinet Secretariat,  
New Delhi

....Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

By virtue of the present application, the applicant Shri Vijay Pushkarna seeks quashing of the orders of 15.11.2002, 3.10.2001 and 16.7.2002. He prays that he should be directed to be reinstated with all consequential benefits.


2. For purposes of the present application, we do not intend to dwell into the merits of the application. That would be expressing an opinion which may be embarrassing for either side. Suffice to say that vide order of 15.11.2002, after the departmental enquiry, admittedly the applicant on 16.12.2002 had preferred an appeal against the order of dismissal. The appeal as yet

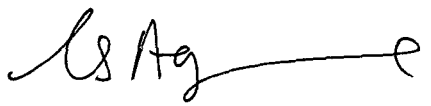
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is pending. At this stage, therefore, the present application challenging the order dismissing him from service must be held to be premature keeping in view the pendency of the appeal.

3. Resultantly, we dismiss the present application making it clear that nothing said herein shall be taken as an expression of opinion on the merits of the matter.

  
( V. Srikantan )  
Member(A)

  
( V.S. Aggarwal )  
Chairman

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